
Procedure for Consecutive Reference Sample Failures for Safe Drinking Water Tests

	WDNR Action	Laboratory Action
First Failure ss. 149.13 and 149.21, Wis. Adm. Code	None.	Laboratories must analyze and pass a second reference sample. Failure to analyze a second reference sample results in non-renewal.
Second Failure s. 149.42, Wis. Adm. Code	<p>Notice of Violation (NOV): WDNR sends a letter notifying the lab that it has 10 days to respond to this notice. The NOV will be removed if the laboratory can demonstrate an error on the part of the provider or if they have additional acceptable intervening results. If the laboratory doesn't voluntarily withdraw from the program for that test, it could face suspension or revocation.</p> <p>Government Labs: The NOV will include additional information as required by s. 893.80 (1)(b), <i>Wis. Stats.</i>, the Notice of Claim statute. After 120 days or if the claim is disallowed, the WDNR may revoke or suspend the laboratory.</p>	<p>To reinstate certification or registration after non-renewal, voluntary withdrawal, or suspension, the lab must submit:</p> <ul style="list-style-type: none"> • Revised application and fees. • Two consecutive acceptable reference sample results. • Corrective actions. <p>If a laboratory does not withdraw its certification for the affected test, it must either demonstrate that the provider made an error or submit intervening acceptable results to avoid suspension.</p> <p>Government labs have 120 days to disallow the Notice of Claim. Within 120 days, the lab must either disallow the claim or withdraw its certification for the affected tests.</p>